

HCS HB 415 -- SEXUAL OFFENDERS

SPONSOR: McGaugh

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 6 to 2. Voted "Do Pass" by the Committee on Rules- Legislative Oversight by a vote of 7 to 3.

This bill defines the terms "predatory sexual offender" and "persistent sexual offender."

The bill provides that if an offender is determined to be a predatory sexual offender, the offender shall be sentenced to life without eligibility for probation or parole. Predatory sexual offenders shall not receive final discharge from parole or be furloughed by the Department of Corrections or any of its divisions. The bill specifies a two-stage process by which a second trial stage shall be held after the conviction of an offender to determine whether that offender is a predatory sexual offender.

The bill also creates a process for determining whether an offender is a prior or persistent sexual offender and creates provisions regarding the sentencing of prior and persistent sexual offenders, including the provisions that an offender determined to be a prior sexual offender shall be sentenced to the authorized term of imprisonment one class step higher than the offense for which the offender was found guilty, and that an offender determined to be a persistent sexual offender shall be sentenced to the authorized term of imprisonment two class steps higher for which the offender was found guilty.

This bill is similar to SB 178 (2017).

PROPONENTS: Supporters say that it is currently difficult for prosecutors to prosecute predatory sexual offenders and prior or persistent sexual offenders, and this bill adds clarity and consistency to the procedures for prosecuting. Child sexual abuse is very graphic, and this bill deals with individuals who have done heinous things to children. Many of these offenders never go to prison; instead, they often receive suspended impositions of sentence. Under this bill, some of those same offenders would be imprisoned for life. This would hopefully help curb future sex offenses often committed by adults who were sexually abused when they were children.

Testifying for the bill were Representative McGaugh; Jake Skouby, Newton County, Missouri Association of Prosecuting Attorneys; and Missouri Kids First.

OPPONENTS: There was no opposition voiced to the committee.

This bill is similar to SB 178 (2017).